

REMARKS

Reconsideration and withdrawal of all grounds of rejection are respectfully requested in view of the above amendments and the following remarks. Claims 1-17 were rejected. By entry of this amendment, claims 1, 2, 5, 13 and 14 have been amended. No claims have been cancelled and new claims 18-21 have been added. Consequently, claims 1-21 are pending.

The Examiner has objected to the disclosure because of several informalities in paragraphs 0019, 0025 and 0027. In response, the identified paragraphs have been replaced in accordance with the Examiner's suggestions. Therefore, withdraw of these objections is respectfully requested.

The Examiner has objected to the drawings because the reference numeral 85 included in paragraph 0023 is not shown. In response, paragraph 0023 has been replaced and no longer includes this reference character. Therefore, withdraw of this objection is respectfully requested.

Claims 2, 13 and 14 were objected to by the Examiner because of various informalities. In response, these claims have been amended in accordance with the Examiner's requirements. Therefore, withdraw of these objections is respectfully requested.

Claim 1 is directed to an adjustable coupler lock including a lock body and a shaft. The shaft is insertable in a first direction insertion or an opposing second insertion direction into one of two openings in the lock body with the coupler latch in a locked position. These feature of the invention is illustrated in Figures 5 and 6. For exemplary purposes only, the lock body 20 is on the left of the latch 100. Consequently, the shaft 30 has been inserted right to left. To do so, an operator holds the shaft 30 flange end 92 in his right hand and inserts it through a hole in the latch 100. Next, the operator inserts the shaft through the lock body 20. The lock body 20 is then moved toward the latch 100. As the lock body 20 proceeds toward the latch 100, the locking plate 70 engages notches on the shaft until the lock body cannot move any further toward the latch 100. This technique is described in para. 0025 of the application.

In this invention, the shaft can be inserted in either direction with respect to the object upon which the lock is fixed. In other words, the lock 10 can also be installed with the lock body 20 on the right of the latch and the shaft 30 inserted left to right. In this case, the operator holds the shaft with his left hand and the lock body with his right hand and repeats the above-described assembly steps.

The locked position of a coupler latch is also illustrated in Figures 5 and 6 with the latch rotated down or closed. Further, this position is clearly described in the specification. (para. [0025], lines 10-16).

“The latch device **100** is preferably in the closed position, meaning, in the case of a trailer hitch, that the trailer cannot be disconnected from the vehicle without moving the latch to the open position. After insertion of the shaft **30** into and through the opening in the latch **100**, the lock body **20** is attached to the shaft **30**.”

In contrast, the “unlocked position” allows for “an inserted shaft to be removed from the lock body 20.” (para 0022, last 2 lines).

US Patent 1,592,696 to Heyer does not teach or suggest a lock device wherein the shaft can be inserted in either of two opposing directions. The insertion direction in Heyer, i.e., top to bottom, shown in Figure 1 is the only direction possible. As seen in Figures 3 and 4 of Heyer, the structure of the tumblers 4 and tapered portion 19 prevent insertion from bottom to top when the tumblers are in a locked position, i.e., not in an unlocked position in which a proper key is inserted into a key slot and the shaft can be removed. Consequently, Heyer does not anticipate claim 1 and claim 1 is allowable.

Therefore, withdraw of all rejections relative to claim 1 are respectfully requested.

Claim 5 as amended is directed to an adjustable coupler lock including a lock body, a locking mechanism disposed within the lock body and an adjustable means for securing the lock body to an object. The adjustable means allows the lock body to move in one of two opposing insertion directions relative to the object but not in a opposing withdraw direction when the coupler lock is in a locked position (emphasis added).

US Patent No. 1,498,115 to Setterberg does not teach or suggest adjustable means that allow a lock body to move in one of two opposing insertion directions. As seen in Figure 2 of

Setterberg, the adjustable means is in the form of a shaft 6 that can only move left to right relative to the lock body 2 when being inserted. The cross-sectional view in Figure 4 clearly does not show an insertion hole on the right side of the body 2 for insertion in the right to left direction. Consequently, Setterberg does not anticipate claim 5.

For the same reasons discussed above in regard to claim 1, Heyer does not teach or suggest adjustable means that allow a lock body to move in one of two opposing insertion directions when the coupler lock is in a locked position. Consequently, Heyer also does not anticipate claim 5.

Therefore, claim 5 is allowable and withdraw of all rejections relative to claim 5 are respectfully requested.

The Examiner has rejected claim 13 under 35 U.S.C. 103(a) as being unpatentable over Heyer in view of US Patent 4,576,021 to Holden. The combination of these two references does not teach or suggest all the limitations of claim 13 as amended. Specifically, none of the cited references teach, disclose or suggest the limitations of placing a coupler in contact with a hitch ball, "closing a coupler latch into a locked position" and "inserting a shaft, which includes two or more recesses thereon, in one of two opposing insertion directions" through an opening in the latch.

Therefore, claim 13 is allowable and the undersigned respectfully requests reconsideration.

Claim 17 as filed is directed to an adjustable coupler lock and reads as follows:

17. (original) An adjustable coupler lock comprising:

a lock body and locking mechanism;

a shaft with two or more recesses; and

a locking plate which engages one of said two or more recesses when said coupler lock is in a locked position;

wherein said shaft can be inserted through said lock body and said locking plate in two opposing directions. (emphasis added)

The Examiner has rejected claim 17 under 35 U.S.C. 102(b) as being anticipated by Heyer. Specifically, the Examiner has stated that Heyer teaches that when a key is engaged in the lock the locking plates are free to allow a shaft to be inserted in the opposing direction. Although this may or may not be true, this teaching does not anticipate the invention of claim 17. As filed, claim 17 recites the limitation of the coupled lock being in the locked position. Further, the Examiner's hypothetical would require a user to hold a key with one hand, and a shaft with the other. The user would require a "third hand" to hold the lock body to enable shaft insertion. Consequently, Heyer also does not anticipate claim 17.

The Examiner has also rejected claim 17 under 35 U.S.C. 103(a) as being unpatentable over US Patent 4,760,719 to Evans et al. in view of US Patent 4,003,227 to Casey. The combination of these two references does not teach or suggest all the limitations of claim 17. Specifically, none of the cited references teach, disclose or suggest the limitation of a shaft that can be inserted through a lock body and a lock plate in two opposing directions when the coupler lock is in a locked position.

Further, one skilled in the art at the time of the invention would lack motivation to combine the design of Evans with the teaching of Casey to create "versatility for the lock." As shown in Figure 2 of '719 to Evans, a proximal end of a shaft 2 is fixed to a solid ferrule 3. A washer 4 holds the shaft in place and prevents it from coming loose. ('719, col. 2, lines 31-35). The distal end 1d of the shaft can only be inserted in one direction through a steel plate 7 and into the lock mechanism 10. No other insertion direction through the locking plate 7 is suggested or taught. Evans only teaches insertion in one direction. In contrast, in the present invention the shaft can be inserted through the coupler latch, the object to which the lock is being fixed, in either direction. Therefore, a second shaft opening in the lock mechanism of Evans actually adds no versatility and one skilled in the art at the time of the invention would lack motivation to make the combination suggested by the Examiner.

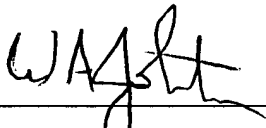
Therefore, claim 17 is allowable and the undersigned respectfully requests reconsideration.

Independent claim 18 is new and is believed to be allowable. Further, the remaining pending dependent claims are allowable at least based on direct or indirect dependence on allowable independent claims 1, 5, 13, 17 and 18.

In view of the above amendments and remarks, it is respectfully submitted that all pending claims of this application are in condition for allowance. Accordingly, a Notice of Allowance for all pending claims of this application is respectfully solicited. Furthermore, if the Examiner believes that additional discussions or information might advance the prosecution of this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,

Date: 10/31/05



William A. Johnston
(Reg. No.: 47,687)

Calfee, Halter & Griswold LLP
1400 McDonald Investment Center
800 Superior Avenue
Cleveland, OH 44114-2688
Phone (216) 622-8576
Fax (216) 241-0816

Customer No. 24024